CALIFORNIA ENERGY COMMISSION

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STATE OF CALIFORNIA ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:	
CALPINE GILROY COGEN) Docket No. 84-AFC-4C
CALPINE GILROY COGEN, L.P.) Order No. 05-0713-01(b)
) ORDER APPROVING MODIFICATIONS
) TO CHANGE THE SOURCE OF POWER
	PLANT COOLING WATER TO
	RECYCLED WASTEWATER

CALPINE GILROY COGEN, L.P., the owner/operators of the CALPINE GILROY COGEN Project, has requested to modify the source of its power plant cooling water to recycled wastewater. The Gilroy Cogen project currently uses on-site well water for power plant cooling. Recycled wastewater is now available from South County Regional Wastewater Authority's (SCRWA) nearby facility. Calpine's existing Gilroy Energy Center (GEC, 01-EP-8), located adjacent to the Gilroy Cogen, uses SCRWA-supplied recycled wastewater. Calpine proposes to connect with the existing supply at the GEC and install a 10-inch diameter, approximately 1,000 feet long pipeline to convey water to the Cogen. The proposed pipeline would be mounted above ground except for a portion that would pass underneath an emergency access road.

STAFF RECOMMENDATION

The Energy Commission staff reviewed the petition and finds that it complies with the requirements of Title 20, Section 1769(a) of the California Code of Regulations and recommends approval of the CALPINE GILROY COGEN, L.P. petition to modify the CALPINE GILROY COGEN Project and amend related cultural resources, public health, and water quality Conditions of Certification. (The decision uses the term "water quality" rather than "water resources.")

COMMISSION FINDINGS

Based on staff's analysis, the Commission concludes that the proposed changes will not result in any significant impact to public health and safety, or the environment. The Commission finds that:

o The petition meets all the filing criteria of Title 20, section 1769(a) of the California Code of Regulations concerning post-certification project modifications.

- o The modification will not change the findings in the Commission's Final Decision pursuant to Title 20, section 1755.
- o The project will remain in compliance with all applicable laws, ordinances, regulations, and standards, subject to the provisions of Public Resources Code section 25525;
- The Change will be beneficial to both the public and the project owner because it would result in changing the source of the power plant's cooling water supply from on-site wells to recycled wastewater; and
- There has been a substantial change in circumstances since the Commission certification justifying the change and that the change is based on information that was not available to the parties prior to Commission certification in that recycled wastewater was not available when the project was certified.

CONCLUSION AND ORDER

The California Energy Commission hereby adopts Staff's recommendations and approves the following changes to the CALPINE GILROY COGEN Project's Decision. New language is shown as **bold and double-underlined**:

CULTURAL RESOURCES

CUL 4-7: The project owner shall ensure that the Cultural Resources Specialist

(CRS) or Cultural Resources Monitor (CRM) (selected by and reporting to the CRS), monitors the installation of waterline supports where excavation extends beyond fill. Excavation of the trench through the roadway shall also be monitored full-time for cultural resources by the CRS or CRM.

Monitoring logs shall be kept and maintained by the on-site monitor. The CRS shall inform the CPM when ground disturbance activities no longer require monitoring, and will explain his/her decision that monitoring is no longer necessary.

<u>Verification:</u> During each week that monitoring occurs, monitoring logs shall be submitted to the CPM, on a form acceptable to the CPM, for review and approval. Within 24 hours of making a determination that cultural resources monitoring is no longer required, the CRS shall submit an e-mail explanation to the CPM for review and approval.

PUBLIC HEALTH

PUBLIC HEALTH 2-4: The Project Owner shall develop and implement a

Cooling Water Management Plan to ensure that the potential for bacterial growth in cooling water is controlled to industry standards. The plan shall be consistent with the requirement of either staff's "Cooling Water Management Program Guidelines" or the guidelines in the Cooling Technology Institute's "Best Practices for the Control of Legionella".

<u>Verification: Within 30 days of approval of this amendment to utilize recycled wastewater for cooling purposes, the project owner shall provide the Cooling Water Management Plan to the California Energy Commission's Compliance project Manager for review and approval.</u>

WATER QUALITY

WATER QUALITY 6-9: The project owner shall use tertiary-treated water supplied from South County Regional Wastewater Authority as its primary water supply source for cooling. Water from the on-site well system may be used as a back up supply for the cooling purposes in the event that recycled water services is interrupted.

<u>Verification:</u> The project owner shall notify the CPM in writing if recycled water from South County Regional Wastewater Authority is unavailable for more than thirty (30) consecutive days.

WATER QUALITY 6-10: The project owner shall meter in-plant uses of recycled water. The project owner shall prepare an annual summary, which will include .the monthly range and monthly average of daily water usage in gallons per day, and total water used by the project on a monthly and annual basis in acre-feet. For subsequent years, the annual summary will also include the yearly range and yearly average water use by the project. This information will be supplied to the CPM.

<u>Verification:</u> The project owner will submit as part of its annual compliance report a water use summary to the CPM on an annual basis for the life of the project.

IT IS SO ORDERED.

Date: July 13, 2005 STATE OF CALIFORNIA

ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION

Original Signed By
H DESMOND

Chairman

JOSEPH DESMOND